

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

SHANNON PEREZ, et al., §
 Plaintiffs, §
 §
v. §
 §
STATE OF TEXAS, et al., §
 Defendants. §

CIVIL ACTION NO.
11-CA-360-OLG-JES-XR
[Lead Case]

MEXICAN AMERICAN §
LEGISLATIVE CAUCUS, TEXAS §
HOUSE OF REPRESENTATIVES, §
 Plaintiffs, §
v. §
 §
STATE OF TEXAS, et al., §
 Defendants. §
 §

CIVIL ACTION NO.
SA-11-CA-361-OLG-JES-XR
[Consolidated Case]

TEXAS LATINO REDISTRICTING §
TASK FORCE, et al., §
 Plaintiffs, §
v. §
 §
RICK PERRY, §
 Defendant. §

CIVIL ACTION NO.
SA-11-CA-490-OLG-JES-XR
[Consolidated Case]

MARGARITA V. QUESADA, et al., §
 Plaintiffs, §
v. §
 §
RICK PERRY, et al., §
 Defendants. §

CIVIL ACTION NO.
SA-11-CA-592-OLG-JES-XR
[Consolidated Case]

JOHN T. MORRIS,	§	
Plaintiff,	§	
v.	§	
	§	CIVIL ACTION NO.
STATE OF TEXAS, et al.,	§	SA-11-CA-615-OLG-JES-XR
Defendants.	§	[Consolidated Case]

EDDIE RODRIGUEZ, et al.,	§	
Plaintiffs,	§	
v.	§	
	§	CIVIL ACTION NO.
RICK PERRY, et al.,	§	SA-11-CA-635-OLG-JES-XR
Defendants.	§	[Consolidated Case]

**MOTION FOR LEAVE OF CONGRESSPERSONS LAMAR SMITH,
JOE BARTON, LOUIS GOHMERT, TED POE, SAMUEL JOHNSON,
RALPH HALL, JEB HENSARLING, JOHN CULBERSON, KEVIN
BRADY, MICHAEL MCCAUL, MICHAEL CONAWAY, KAY
GRANGER, WILLIAM THORNBERRY, RONALD PAUL, BILL
FLORES, RANDY NEUGEBAUER, PETE OLSON, FRANCISCO
CANSECO, KENNY MARCHANT, MICHAEL BURGESS, BLAKE
FARENTHOLD, JOHN CARTER and PETE SESSIONS TO FILE
SEALED DOCUMENTS WITH THE COURT**

NOW COME Congresspersons Lamar Smith, Joe Barton, Louis Gohmert, Ted Poe, Samuel Johnson, Ralph Hall, Jeb Hensarling, John Culberson, Kevin Brady, Michael McCaul, Michael Conaway, Kay Granger, William Thornberry, Ronald Paul, Bill Flores, Randy Neugebauer, Pete Olson, Francisco Canseco, Kenny Marchant, Michael Burgess, Blake Farenthold, John Carter, and Pete Sessions (hereinafter, collectively, “Movants”), non-parties to the above consolidated cases, and in connection with their Motion Preventing Disclosure of Written Communications subject to privilege under the Speech and Debate Clause of the U.S. Constitution (“Motion for Protection”), which adopted herein and incorporated by reference, file this Motion for Leave to File Sealed Documents with the Court, and in support thereof would respectfully show the Court as follows:

I.

BACKGROUND

1. Plaintiffs have requested Defendants to produce privileged communications between Members of Congress, their staff, their counsel, and state legislators, their staff and their counsel, and actual production of these communications is imminent. For the reasons stated by Movants in their Motion for Protection, Movants respectfully request leave of Court to file the privileged documents attached to such Motion under seal until such time that the Court may conduct an *in camera* review of the same, determine if they are privileged within the scope of the Speech and Debate clause, and if so determined, order that Defendants not disclose the same to Plaintiffs or any other party to this litigation.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Movants respectfully request that the Court grant this Motion for Leave to File Sealed Documents in the form of privileged documents attached to Movants' Motion for Protection, and for such other and further relief to which Movants may be justly entitled at law or in equity.

DATED: August 5, 2011

Respectfully submitted,

/s/ Eric Opiela

Eric Opiela
Texas Bar No. 24039095
1122 Colorado, Suite 2301
Austin, TX 78701
(512) 791-6336
FAX (512) 250-3102

Attorney for Congresspersons Lamar Smith, Joe Barton, Louis Gohmert, Ted Poe, Samuel Johnson, Ralph Hall, Jeb Hensarling, John Culberson, Kevin Brady, Michael McCaul, Michael Conaway, Kay Granger, William Thornberry, Ronald Paul, Bill Flores, Randy Neugebauer, Pete Olson, Francisco Canseco, Kenny Marchant, Michael Burgess, Blake Farenthold, John Carter, and Pete Sessions

Certificate of Service

I hereby certify that on the 5th day of August, 2011, I electronically filed the above and foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

/s/ Eric Opiela _____
Eric Opiela